



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/587, 448	12/01/95	HO KEUNG	T

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EXAMINER

LAUFER, P

ART UNIT

3642

PAPER NUMBER

22

DATE MAILED: 01/28/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Advisory Action	Application No. 08/587,448	Applicant(s) Tse Ho Keung
	Examiner 703 386 4760 Pinchus M. Laufer	Group Art Unit 3642

THE PERIOD FOR RESPONSE: [check only a) or b)]

- a) expires _____ months from the mailing date of the final rejection.
- b) expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

Appellant's Brief is due two months from the date of the Notice of Appeal filed on _____ (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on Jan 13, 1997 has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:

The proposed amendment(s):

- will be entered upon filing of a Notice of Appeal and an Appeal Brief.
- will not be entered because:
 - they raise new issues that would require further consideration and/or search. (See note below).
 - they raise the issue of new matter. (See note below).
 - they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
 - they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: See Accompanying Action.

Applicant's response has overcome the following rejection(s):

Newly proposed or amended claims _____ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:

The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: _____

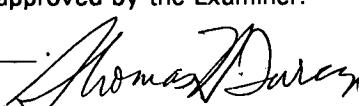
Claims objected to: _____

Claims rejected: 1-7 and 9-21

The proposed drawing correction filed on _____ has has not been approved by the Examiner.

Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

Other


THOMAS H. TARCZA
SUPERVISORY PATENT EXAMINER
GROUP 2200

Part III ADVISORY ACTION

Request For Withdrawal of Extension of Time

1. Applicant's letter requesting a withdrawal of the one month extension of time and return of the fee can not be granted.
2. The extension of time (and fee) was required in order for the accompanying amendment to be considered. The amendment was considered and deemed inappropriate for entry after a Final rejection.

Without the extension of time, the amendment would not have been "timely filed" and would not have been considered at all.

3. The applicant states that "the response period expires 3 months from the date of mailing the advisory action". **This is incorrect.**

The response period ends three months from the date of the **Final rejection** or (if the 3 months have already lapsed) on the date of mailing of the Advisory action.

Amendment of 13 January 1998

4. The amendment of 13 January 1998 will not be entered because of the following reasons:
 - a. The form of amendment is not proper. Brackets and underlining are the correct form for amending the claims. For amending the specification, indications as to where to insert some words or delete some words is the proper form.
 - b. Narrative explanation or remarks should not be interspersed with the amendment to the specification. Set out a section with the amendment by page and line number, and then if necessary provide a separate section of "REMARKS" addressing any issues.
 - c. Any major changes to the specification should be accompanied by a declaration stating that new matter has not been introduced.

Information Regarding Communication with the PTO

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pinchus M. Laufer whose telephone number is (703) 306-4160. The examiner can normally be reached on weekdays from 7:30 am to 3:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. T. Tarcza, can be reached on (703) 306-4171. The fax phone number for this Group is (703) 306-4195.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-4177.

Pinchus M. Laufer
January 26, 1988

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SUPERVISORY PATENT EXAMINER
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